R E P O R T R E S U M E S

ED 017 072 EA 001 167

COLLECTIVE NEGOTIATION IN CURRICULUM AND INSTRUCTION--QUESTIONS AND CONCERNS.

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ASSOCIATION FOR SUPERVISION AND CURRICULUM DEV.

PUB DATE 67
EDRS PRICE MF-$0.25 HC NOT AVAILABLE FROM EDRS. 26P.

DESCRIPTORS- *COLLECTIVE NEGOTIATION, *INSTRUCTION, *TEACHER ASSOCIATIONS, DECISION MAKING, *SUPERVISORS, CHANGE AGENTS, ADMINISTRATOR ROLE, PRINCIPALS, SUPERINTENDENTS, GRIEVANCE PROCEDURES, TEACHER EVALUATION, TEACHER ROLE, BOARDS OF EDUCATION, POLICY FORMATION, *CURRICULUM DEVELOPMENT, DISTRICT OF COLUMBIA,

CURRICULUM AND INSTRUCTION ARE INCREASINGLY VITAL ISSUES FOR COLLECTIVE NEGOTIATION BETWEEN TEACHERS AND SUPERVISORS AND THEIR SCHOOL BOARDS. THIS DOCUMENT SUGGESTS GUIDELINES FOR EFFECTIVELY DEVELOPING A POSITIVE APPROACH TO THE RESOLUTION OF DIFFERENCES BETWEEN PARTICIPANTS IN THE DECISIONMAKING PROCESS SO THAT THE MOST EFFECTIVE LEARNING ENVIRONMENT POSSIBLE MAY BE ACHIEVED. ISSUES DISCUSSED INCLUDE A BACKGROUND REVIEW OF COLLECTIVE NEGOTIATION BETWEEN TEACHERS' ASSOCIATIONS AND OTHER ELEMENTS OF THE SCHOOL SYSTEM, COMPETITIVE ASPECTS OF THE NEA AND AFT PROGRAMS, THE NEED FOR LONG-RANGE CURRICULUM PLANNING AND IMPLEMENTATION RATHER THAN SHORT-RANGE FOCUS ON PARTICULAR ISSUES, CHANGING ROLE DEFINITIONS OF LEADERS IN THE NEGOTIATION PROCESS, CLARIFICATION OF PROCEDURES FOR TEACHER EVALUATION, AND THE EXTENSION OF COLLECTIVE NEGOTIATION IN EDUCATION BEYOND THE SINGLE SCHOOL SYSTEM TO THE LARGER REGIONAL MODELS OF STATE AND NATION. THIS DOCUMENT IS AVAILABLE FROM THE ASSOCIATION FOR SUPERVISION AND CURRICULUM DEVELOPMENT, NATIONAL EDUCATION ASSOCIATION, 1201 SIXTEENTH STREET, N.W., WASHINGTON, D.C. 20036, FOR $1.00. (JK)

ED017072

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Collective Negotiation in Curriculum and Instruction:

Questions and Concerns

Leslee J. Bishop

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
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Library of Congress Catalog Card Number: 67-30830

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Foreword

THIS statement began as an attempt to respond to many inquiries and requests for information regarding collective negotiation (professional negotiations NEA, collective bargaining AFT). It is an effort to explore some of the problems that need further research, study, and experience. It was done in the anticipation that ASCD commission(s), affiliated units, and individuals will contribute to the further explication of these and other items.

It is hoped that these comments, highly personal and speculative at this early stage, will be useful as departure points, and should be interpreted as an effort to encourage persons in curriculum, supervision, and teacher education to participate in the shaping of this movement.

—LESLEE J. BISHOP, *Executive Secretary, ASCD.*

Collective Negotiation in Curriculum and Instruction: Questions and Concerns

THE struggle for power is a common phenomenon these days; some of the changes emanating from this conflict in education prompted this statement. While the controversy and its resultant shifts are more evident in public schools, the struggle is also occurring in higher education.[1] At the school level, the critical element is the drive for recognition by the teachers through their association or union, and for the right to make significant decisions through collective negotiation.

Brief Background

Collective negotiation is the key procedure whereby teachers through unions or associations [2] are effecting a fundamental realignment of power for decision making in education.[3] As such, collective negotiation has become a part of life in education; further, it exists, in part, because it was caused. The drive for negotiation procedure and the related organizational and operational changes has many sources, some relatively new, some age-old, among them:

—The drive of local associations or unions to indicate their effectiveness in dealing with critical matters with the board and with the community at large

—The politically oriented motivation of teachers who are concerned about the criticisms of education and desire to modify the school in ways that will

[1] American Association for Higher Education. *Faculty Participation in Academic Governance.* Washington, D.C.: National Education Association, 1967.

[2] National Education Association. "Platform and Resolutions." From: NEA Convention, Minneapolis, Minnesota, July 1967. In: *NEA Handbook, 1967-68,* 1967. p. 77.

"The National Education Association insists on the right of professional associations, through democratically selected representatives using professional channels, to participate with boards of education in the formulation of policies of common concern, including salary and other conditions of professional service."

[3] T. M. Stinnett, Jack H. Kleinman and Martha Ware. *Professional Negotiation in Public Education.* New York: The Macmillan Company, 1966; Michael H. Moskow. *Teachers and Unions.* Philadelphia, Pa.: University of Pennsylvania, 1966; Myron Lieberman and Michael H. Moskow. *Collective Negotiations for Teachers.* Chicago: Rand McNally & Company, 1966.

make it more professionally sound and to elevate the perception of the profession

—A desire to achieve faster action, more appropriate response, and a drive for relevance in the target institution by those in activist movements

—The exasperating and tortuous route often necessary for change in large or bureaucratic school systems; and the frustration of teachers who have worked year after year on particular goals only to find them negated at some point by a status figure in the administrative hierarchy

—The natural desire of the teacher to have his ideas respected and to find a deserving place in the consideration of the administration or the board of education

—The contradiction between both the criticisms and the apathy of a public and its regard for the public personnel who are associated with the school programs

—The inefficiency and ineffectiveness of an institution to react quickly and effectively in times of rapid change

—The age-old conflicts between the worker and the management that have recently been exploited by the unions in regard to teacher groups and teacher ideas

—The unhappiness with bureaucratic uniformity or pressure that has been imposed upon individual schools where there is vulnerability to the influence of pressure groups but, at the same time, apparent insensitivity to neighborhood differences as far as the system is concerned

—A host of petty grievances that teachers have with their supervisors, their building principals, and those who have status or responsible positions of authority

—The bypassing techniques now evident in the dual governments that are a part of some of the new developments in poverty, civil rights, and government

—The honest striving for educational reform, for more effective and appropriate school programs, and the determination to have access to the systems by which decisions are made

—Certain states such as Michigan and Massachusetts, where the atmosphere is heavy with labor-management concepts and precedents, are providing both desirable and undesirable alternatives in the present situation.

The focus for this discussion is the relationship of collective negotiations to curriculum and instruction, not to the movement as a whole, nor as they relate to matters of salary, teacher welfare, benefits, hours of employment, or physical conditions of employment. While curriculum and instruction are operationally interwoven with these items, an attempt has been made to keep them as separate concerns. A corollary point of view is that provisions and considerations should be different in curricular or

instructional matters; this position is not shared by many persons active in the movement.

Collective negotiation can be viewed either as a threat to existing powers, or as an affirmative development. As education becomes more complex, more socially involved, and more politically sensitive, the harnessed strength of the teachers can represent a significant force in obtaining additional means and an improved school environment. Those active in the movement consider this development a significant step in the professionalization of teachers. It is a "given" that the movement will cause realignments in the educational power structure and significant modifications in certain teacher, supervisory, and administrative roles.

In most areas of concern the struggle for recognition has been intramural, that is within the school system and with the school board, but that is only phase one. A second phase must come when the new power group is legally installed, has been tested, and has gained the right to certain decision-making processes and certain prerogatives, to see whether the teacher associations or unions can perform the functions they are now demanding as their right. A third area of testing may well involve the extent to which the public and its respective governments will relate to the new configuration and agree to its procedures and powers.

A Side Issue with Long-range Consequences

A confusing factor in the development is the competition at the local level between the National Education Association and the American Federation of Teachers. This side issue sets up conflicts that are irrelevant to the main thrust in one sense, but which will affect the nature of the organization that will exist after the first round for recognition has been won. For example, in order to win teachers in urban areas, it has been a tactical maneuver, in many large cities especially, to pit teachers against principals and supervisors in order to gain popular support among teachers. This procedure sets up succeeding ripples of discontent and restructuring that contribute to the separateness and the estrangement, already a problem in large and bureaucratic school systems.

Of importance at this point is the conflict regarding mandatory membership that is currently stirring deep feeling within the National Education Association and its departments.[4] Suffice it to say here that different policies and commitments threaten a long-time and significant confederation of associations. The concern here is not for associational

[4] National Education Association, *op. cit.*, pp. 81-82.
"The Association affirms that, beginning in 1969-70, active membership in the Association be a prerequisite to membership in any department of the Association for those eligible for active membership."

separateness, but for a split in the alliance, a breakdown in opportunities for communication and cooperation, and an extension of separateness into role definition and function in school systems, and in learning opportunities for children.

Curriculum and Instruction; The Second Wave

Once wages, hours, benefits, and rights are established, curriculum and instruction will become the next logical area in which to move. Most of the negotiations contracts available for study make some provision for *curriculum study or review*. Within certain limitations this can be a promising development; it is in contrast to the fact that many teachers and principals have in recent years avoided involvement in curriculum development. Now many groups are moving to mandate individual participation or to mandate the existence of the group; this is done, however, as an alternative power play rather than to encourage this activity as a professional responsibility.

It was argued for years that the curriculum council procedures were too slow, too unrealistic, too naïve to be effective. Now the need for such groups is coming back with a new rationale and a different kind of support. The active involvement of teachers at all levels can contribute important curriculum elements. Expertise and commitment are two possible affirmative yields of such activity. The stance of the Association for Supervision and Curriculum Development has been clear on this point for many years.[5] For example:

[5] American Association of School Administrators and Association for Supervision and Curriculum Development. *Organizing for Improved Instruction.* Washington, D.C.: the Associations, 1963. pp. 15-16.

"Each school system needs some continuing body with special responsibility to formulate recommendations and to make decisions within the framework of overall policy. Here we are calling this body the Curriculum Council. The Council initiates and is a clearinghouse for studies, experiments, and innovations; it makes decisions when appropriate; it formulates recommendations; and in general it is advisory to the assistant superintendent for curriculum and instruction.

"Membership in the Curriculum Council, when it is impossible for all the professional staff to participate directly, must be truly representative of classroom teachers, of administrators, of curriculum resource specialists, and of business operation personnel. The Council has *ad hoc* representation, as the matter under study requires, from such groups as curriculum commissions, continuing organized groups of specialists within the system, task forces or study groups established for the specific purpose, and parent-citizen groups.

"Other common-interest groups within the school system must have freedom and opportunity to initiate proposals for change or new policy. Decisions or the formulation of final recommendations in all matters of curriculum and instruction, which are the realm between the building unit and the board of education, should center in this Council. The assistant superintendent reports the Council's recommendations to the superintendent and its decisions to the appropriate administrative channels for implementation."

Under negotiations arrangements, however, certain issues arise. How inclusive shall the involvement be; how specific the decisions; how does the work get done; if by committee, who appoints; who has the veto? What shall be the nature of the status of those involved, to whom will the recommendations be made and how "imperative" are the decisions that are made?

As the network of plans, perceptions, procedures, and behaviors, curriculum represents the central concern of the educational enterprise. It will receive major attention because the rationale of the school as an institution and as a responsibility of society and related professionals must be expressed within its domain.

Decision making in curriculum matters is also changing rapidly. Curricular decisions are likely to represent adaptations from outside sources: they are becoming more complex, more expensive, more consequential, and they require more sophisticated consideration and more significant modification in the performance of the teacher and the learner.

In what atmosphere, with what procedures and processes shall these developments be considered, decided, implemented, and evaluated? The computer and its subsystems, data processing and related procedures, instructional television, and the electronic laboratory with programs and personnel represent large scale involvements, not piecemeal tinkering. They are not as modular as the textbook for a course nor for the length of a period. They affect the whole web of teaching and learning and deciding. They should be considered by those who can deal with them with expertise, with knowledge of the performance, and concern for the outcome. Their use should follow research and study, experimentation, and evaluation. They should not be rejected or imposed as fulcrums for other concerns; they must be considered in the context of the total system of which they will be integral sub-parts. Such significant modifications require the most professional consideration, the final analysis determined in relationship to improved learning for each child. These developments deserve exacting study and complete data, not to be delivered piecemeal or in a self-serving form to justify the bias of the protagonist.

The wide variety of curricular areas that could conceivably be negotiated constitutes a powerful two-edged sword. It is admittedly heady stuff to suggest that *anything* can be negotiated or at least be subject to the negotiation process. Nevertheless, it is likewise sobering to contemplate the wide variety of questions that thus become subject to the negotiation process for their settlement. It is important that any critical issue can be subject to study and investigation. Does such a possibility make it inevitable that the response or the answer shall be a negotiated item? Is it naïve *or*

sophisticated to suppose that any and all curricular questions can be decided upon by such a process or by vote, or that good education results from the use of such items as leverage?

Thus is it not possible that under the guise of professional negotiations in instructional matters we open a Pandora's box of program-product as well as decision? Do we not then make the judgment of the expert subject *not* to the overall review of the scholar, the generalist, or the practitioner, but to the debate and to the shaping talents of the negotiator? Do we then, under the name of professional negotiations, introduce to the table topics that require study, consideration, and balance, not confrontation and bargaining? These concerns were summarized in the Association for Supervision and Curriculum Development's resolution, Dallas, Texas, March 1967.[6]

Is not a criterion necessary to determine what shall and what shall not be negotiated; or better, what curriculum categories, if any, lend themselves most appropriately to negotiation and which are better handled by other processes?[7] If each issue must be resolved as it arises, with no modification of the process or the context, what does this mean for subsequent support and review? Can a particular curricular issue, even if negotiated successfully, be maintained without a support system of program, policy, and procedure? Should not process, not program, then be the more likely subject for negotiation in curriculum and instruction?

[6]Association for Supervision and Curriculum Development. "ASCD Resolution." 22nd Annual Conference, Dallas, Texas, March 1967.

Negotiation and Curriculum:

"The concept that curriculum decisions should involve many people at all levels of responsibility within the public schools is and has long been a part of the platform of beliefs of ASCD. If members of any group of professionals do not feel that, at present, they have influence in curriculum matters, there may well be need for reexamination of existing patterns and the development of new kinds of organization. However, to change a study process into one of argumentation ignoring the expertise of all except one classification of staff members, can only lead to disenfranchisement of all professionals as well as a breakdown in quality curriculum development.

"In the present context of professional negotiations it is essential that welfare concerns and curriculum concerns be handled as separate entities. ASCD believes that program and curriculum decisions *per se* must not be negotiable items. All professional personnel should have the right to participate in curriculum policy making; the procedures to be followed are negotiable, but the result or outcome of the process must not be subject to negotiation. Rather, such decisions must result from the application of a variety of professional expertise after a thorough study of all factors basic to a curriculum decision. Curriculum making is a study process and not a confrontation."

[7]Arthur F. Corey. *The Responsibility of the Organized Profession for the Improvement of Instruction.* Washington, D.C.: Center for the Study of Instruction, National Education Association, 1966.

Another Aspect of the Curriculum Issue

Having forged a powerful weapon to challenge the existing decision structure in local educational matters, and having rejected existing procedures in the local system for conducting professional matters and for planning and maintaining essential functions, the literature of teacher negotiation is not clear on what shall then be sought. There is no evident plan as to what follows except in process and power terms. The next stage is a shadowy mosaic composed of pieces of experience and plan by those presently directing the professional negotiation development. There is a hope for greater teacher influence and more democratic planning and management, but these have no significant development as proposed. Thus there is an idea gap evident behind the power thrust that requires development.

This is the place and time where policy and structure must be clear regarding curriculum and instruction. The American Federation of Teachers has obtained so much mileage from the "More Effective Schools" program that it will prosecute this apparent advantage.[8] The NEA-related groups will likely seek to meet this challenge with similar pedagogical schemes. The thinking and planning that may develop in this competition could be productive of good ideas and professional consensus regarding goals. However, the entry of the bargaining procedure into such matters is the occasion for concern.

An important understanding that may not be clear to teachers is that when they enter the decision-making process, they also assume a commitment for implementation. This is unlike the situation in the private sector where workers are more likely to be affecting policies, procedures, or functions that will be carried out by someone else or by another branch of the enterprise. Teachers may decide to develop subcontract service; outside persons such as university professors may enter the school system via the professional association, not through administrative agreement or arrangement. How then is responsibility for the outcome to be allocated?

[8] American Federation of Teachers. *AFT Officers' Report to American Federation of Teachers Convention,* 1967.

"What may well become one of the most significant educational developments in this century—the AFT More Effective Schools program—made great strides this year. This has probably been the AFT's most important contribution to our profession in the 51 years of our existence.

"To quote New York City Council President Frank D. O'Conner, the MES program is 'the only hope for young children in underprivileged areas.' It represents the major thrust of the AFT's efforts to meet the urgent and persistent challenges facing our nation's schools. The MES program begins where it is needed most, in the slum and ghetto areas, but eventually we hope to extend its proliferation for all the children of our nation" (p. 15).

Leadership and Polarization; The Problem of "We-They"

In the literature of the Association for Supervision and Curriculum Development, supervision is usually referred to as a function, rather than simply a position. Moreover, all professionals in a system contribute in varying degrees to this function. In the concern for function, rather than position and status as such, there has been the insistence that the task of supervision and curriculum development could best be performed by the educational team and that a nonthreatening relationship be maintained [9]— that of a staff rather than a line role. This stance has not been easy in times of pressure for professional gain and status, or for task delineation and programs of preparation and professionalization. It is no accident that most supervisory roles are staff-related, not line, that they seek to perform the function as a cooperative enterprise, and that the responsibility is viewed as a joint project not as the consequence of a particular decision at a particular point involving a specified functionary.

The negotiation spirit and process can very well challenge these concepts and relationships, and perhaps they should. If the supervisor, however functioning and however designated, becomes a part of "they" not "we"; if these intermediate persons are excluded from the teacher-related team or regarded as millstones in the organization and the process of negotiation, then it is likely that a new configuration of supervision will quickly emerge, and that supervisors may enter the field with a new and competitive thrust for power. The flat system of organization may have a new challenger.

Professional negotiations may well mean the end of the tightrope act performed by the supervisor and the curriculum worker who walked carefully between ideas and teachers, between teachers and administrators, between administrative imperative and staff consensus, who walked gingerly down the dotted lines for the most part knowing that full lines existed around him. It may well mean that the supervisor or the curriculum director has to declare the camp within which he will work; that he has to declare the methodology that he will pursue. The spin-off from some such considerations will, in fact, affect the negotiation process as well as the planning and deciding processes in the near future. The question may well become: is the supervisor or the designated curriculum worker to be aligned with the superintendent and his administrative staff, or with the teacher and his supportive staff? Thus role definition, which has always

[9] Association for Supervision and Curriculum Development. *Leadership for Improving Instruction*. C. Glen Hass, editor. 1960 Yearbook. Washington, D.C.: the Association, 1960.

been a difficult question, may well be resolved in terms of the negotiation process or resolved on the basis of certain levels of decision making.

New specialties, roles, and resource persons such as negotiators and legal advisors are in the process of being developed. Also a natural response to the drive for expertise and information regarding negotiations has been the development of "schools," seminars, and conferences. For example, the National Education Association and the University of Chicago cooperated on a Seminar on Negotiations in Public Education, August 14-18, 1967. The NEA will hold a series of "regional schools" on "Teachers' Salaries and Professional Negotiation" during the next school year. For those interested and concerned with the issue of negotiations generally, the NEA is now publishing a *Negotiation Research Digest* (compiled by the NEA Research Division). The American Association of School Administrators is sponsoring an invitational seminar on "Increasing Negotiations Know-How" with the states of Illinois, Michigan, Indiana, and Ohio, and so it goes.

Even if there were not other changes taking place as a result of the current movements in education, the negotiation process is changing the roles of teachers, principals, and supervisors.[10] There has been talk of a change agent, for example, but the change agent as a person or a function must be a part of the negotiation process in its larger dimensions. Otherwise, there is no power and no change. In this connection, the administrator or supervisor must by definition be the manager of conditions and to some extent the change agent; it should be recognized that there are many significant elements not included in "conditions of employment" that are determined by the principal. Also there is a role for the system analyst, that person who or function which assesses the situation, proposes recom-

[10] Association for Supervision and Curriculum Development. "ASCD Resolution," *op. cit.*

The Changing Role of the Professional Educator in the Negotiation Pattern:

"It has long been a stated belief of ASCD that the development of curriculum is a cooperative process involving educators from a variety of specializations. This is an ideal which has never been fully realized.

"We believe that current trends toward legalized compulsory negotiation have the potential either of converting this belief into reality or of destroying the concept of cooperative effort.

"It must be recognized that one of the major effects of negotiation appears to be to shift initiative in curriculum development from the professional administrator or supervisor to the teachers in the profession. This shift has profound implications for the roles of all professional school personnel. In the confusion which attends these shifts in role definition, we reaffirm our belief that the professional goals in education do not vary from one professional role to another. The goal of all personnel in education is to provide the best possible climate and environment for children and youth. This goal demands continuous research and cooperation among all those concerned with education."

mendations, analyzes strengths and weaknesses. This has typically been the role of the supervisor and the curriculum coordinator. But the sideline analyst is a weak role when negotiations and hard bargaining and critical issues are being confronted.

A typical problem in this change is that the outstanding teacher identified as a factor in change, as exerting leadership, has often been given a supervisory post in order to work with "conditions," or has been considered as being in close relationship to the administration by fellow teachers. At some point, the teacher groups must accept the person or the role of change agent within their own ranks either by cooperative relationship with the administrative and supervisory staff, or by providing time, talent, or processes within the teacher ranks, rather than by driving the leadership person both psychologically and in role into "the other side."

Likewise, a role problem that cannot be handled by simplistic guidelines is caused by teacher specialization. This is evident not only in the content areas, but also where media, instructional television, or organizational schemes such as team teaching or nongraded programs have been instituted, each with small hierarchies of special responsibility, differential salary considerations, or schedules. Each group or subgroup will require special arrangements that must be reconciled with requests from other specialist persons or groups. Will the teacher group or teacher-leader be willing to change, to challenge the *status quo,* to be the disturber, and still face the other teachers and the negotiation process? Can the organization of teachers and negotiators effectively assume the educational leadership, the change role?

School System Reorganization; Roles and Responsibilities

The proponents of collective negotiation insist that a change is necessary. Their prediction and their drive are to change the status of principals and supervisors, for example, to staff and supporting roles, not line. As such, these persons would function in a consulting, on-call relationship, essentially at the direction of the teacher groups who will have negotiated their right to such status and to such decision making. While this is not far from the literature in administration and supervision, or from the history of education, in which the principal was the principal-teacher, not the officer of the board and the administration, this proposed change in role, or the change in perception of role, will come as a significant modification and threat.

The principal and supervisor as middle-management functionaries are under fire both from community groups who want change, and from teacher groups who insist upon authority and the re-routing of important

decisions. These developments have ramifications for those in democratic as well as those in autocratic systems. It also will tend to have a significant impact upon nonschool foundation and community programs that have a close interplay with the school as a function, or with the school as an institution.

What is shaping up, among other things, may be a resolution of the question as to whether or not the principal (and the superintendent) should be regarded as human engineers, or as instructional leaders. In the former view, the major responsibility is the coordination of staff, the creation of relationships with the classroom and the home, and the instrumentation of various community resources that work with the school. In the latter view, the educational leader has been assumed to be fundamentally a teacher, grounded in a substantive area and prepared to exert leadership, not only in education generally, but also in particular learning areas. The social problems that require political resolution, the expensive "system" decisions that more and more utilize an effectiveness-cost consideration, the economic and bargaining realities with teachers or community action groups, may well tip the balance—at least for board members—toward the need for the "manager type" of school leader.

It is possible that through negotiation, the machinations of grievance procedures, and the new restructuring of organizational roles that many persons now occupying these positions will not be supported by teachers. Without administrative support and central line status, many persons in the sought-after configuration of power would obviously be stripped of responsibility or effectiveness. Whether such a staff role would still make it possible for the administrator or supervisor both to consult with the teacher organization as a specialist member of that group and still be responsible for the designs and configuration of the total program in that school, would appear to be a moot question.

Certainly the majority of districts (National Education Association, not American Federation of Teachers), as now organized, would choose to have the principal and the supervisor as members of the professional team, even in the negotiation procedure. Whether these persons would be members of the teacher organization as a whole, or be lumped together as a subgroup within the organization, would appear to be a decision of or a problem for the local school system. In some cases this relationship has been determined by state statute, but this is still a very limited requirement in terms of the number of states. Under present circumstances, the NEA would be obliged to provide the means and the agencies for servicing administrative and supervisory as well as teacher needs through

negotiations, though it is obvious there would be a determination by the NEA to retain its image as a classrom teacher organization.

In any case, it is likely that schools will continue to be organized and administered with a hierarchy stemming from state law and the legal status of the board of education and the respective persons employed to carry out the legal mandates and board decisions. What may emerge is a second organizational structure, also with constituted authority, in which the teachers represent the major thrust. This second structure, including most of the membership of the first but in different roles, may have an interchange mechanism developed for influencing and counterbalancing the first—this is the force of negotiation and the power structure it represents.

Unknown, but impending, is the impact of awakened citizens and community groups who are seeking to make their influence felt and to participate in decisions that affect the school operation. This new pressure is especially evident in the large urban areas.

In the wider sphere of the community or the state there is certainly a need for teachers and administrators and supervisors to present a united front and to indicate common interests, or the profession will subject itself to severe criticism and a "divide and conquer" opportunity from local factions, state pressure groups, and others who will be anxious to capture for their own purposes the new monies and influence moving into the arena of education and schooling.

The degree to which these middle-management persons become realigned and their roles restructured will obviously depend in large part upon the success of those now involved in the negotiating struggle. It would behoove supervisors and principals to enter into this process so that their roles will continue to be delineated and their relationship clear, not only with the teacher group, but also in the whole negotiation process.[11] This, of course, brings up the likelihood of a confrontation between such groups and the teachers; or between administrators and supervisors and the superintendent and board. Some superintendents still feel that they can operate as the middle men in the negotiation process, but experience seems to indicate that when the chips are down, when an impasse is reached, the superintendent is obliged to represent the board of education and at that point there is a separation in the manner of representation and management of the related publics, the teacher group, or the teacher-administrative group.

[11] Benjamin Epstein. *The Principal's Role in Collective Negotiations Between Teachers and School Boards.* Washington, D.C.: National Association of Secondary-School Principals, 1965.

Again it must be noted that the side issue of the conflict between the American Federation of Teachers and the National Education Association groups, along with the perceptions that many teachers have of principals and supervisors, will significantly affect the nature of the configuration developed in any system or across the country.

New Structure, New Formalism; Old Problem

Teachers as professionals should recognize that the negotiation process has contributed to other developments such as formalization, legalization, standardization, and centralization. These may be viewed as desirable developments in the context of professional negotiation but each of them carries with it certain incomplete developments with which we must contend with intelligence. While resisting on the one hand, for example, centralizing forces and a large supervisory or administrative superstructure, teachers now in negotiations should recognize that they are in turn contributing to another centralized system for proceeding. Likewise, in order to come to the table or board, certain agreements must be reached by some process. This is the standardizing procedure and, while it has been resisted when it comes from a central office, can it now, on the same grounds, be accepted when it comes from a different group? In any case, the greater sophistication of the professional in dealing with these matters is the need indicated here.

The new ingredients may be a more effective instrument for a grass-roots rather than a from-the-top curriculum procedure. If so, it is long overdue and can make a significant contribution. Yet, it is important to note whether this new system operates within the established system or devises a second system because of inability or lack of desire to modify the condition which brought about the need for a negotiation procedure. There is need to develop new models, to reject the old, union management-labor routine. The jurisdictional battle, within the system or between associations, should also be viewed in connection with its likelihood of prejudicing the situation in a community.

The drive for negotiations procedures is not only an attempt to redress certain inequities, to modify procedural weakness, but also to place the classroom teacher more intimately within the decision-making apparatus through the role of the professional association or the union. The basic strategy, however, has been that of the end run—that with the association as the ball carrier, there can be a wide sweep or a pass to override the pile-up in the line. This tactic is effective as an occasional maneuver, as an alternative; but as a regular tactic it will be defensed with a new struc-

ture, a new alignment of power, a consequent hardening of a different deployment of resources as indicated above.

What is needed is a greater consideration of the *present* policies, practices, and alignments which have forced the end run to be the selected mode of operation, and then to set about to revise these policies, practices, and alignments. This is the root problem. Every school system should have a developed, known, and accessible decision-making system for curriculum and supervisory concerns. It is responsible and constructive to work for these elements of power sharing and accountable participation. Specific items of concern, curricular decisions, should be considered *within* this developed, known, and accessible system. Further or future questions then have both a context and a machinery; they are not dealt with piecemeal and apart from their substantive, methodological, or environmental context. They are ascertained, researched, and decided upon in a frame that incorporates continuing responsibility, expertise, and appropriate levels of concern and implementation of the issue or new idea. Substitute or impasse strategies made possible by negotiations may be an alternative desired by many, but this procedure in any case should not be the main route.

A Larger Organizational Context

There is at present a breakdown of decision-making patterns at all levels. We find this in labor, Congress, civil rights, student and faculty involvement in the schools and colleges, community groups, and the relationship of the citizen to his various governments. The ability of many of the voluntary associations to find ways by which they can make a difference, where they can see their influence being effective is also being challenged and reconsidered.

In addition to decision making, there is need to build in study processes wherein we identify basic and grass-roots elements so that genuine needs, ideas, and alternatives can arise and be known to arise from individual teachers, from schools, from different-sized units and configurations of power. Such study processes must not be dependent upon outside lawyers, upon consultants, or upon procedures that fall outside of the regular process of government, of school or system-wide decision making.

In times of rapid changes such as this, all institutions are in a bind. Established to provide continuity and coordination, renewal, and remediation, these institutions represent a wide band of resources, services, and personnel that have maintenance of function as a significant responsibility. The various maintenance functions are usually vulnerable at any given

point to a single, intensive thrust; personnel are often held more accountable for continuing procedures than for changes; budgets are usually built for stability and continuity, rather than for discontinuity and renewal.

Thus to challenge the ideas, the organization, or the function of an institution is relatively easy. To modify it becomes more difficult, for reasons that have been indicated; to replace its many roles is a serious matter. That modification may be required is agreed; but the responsible innovator who seeks to change a professional, institutionalized relationship has a function beyond initiating change *per se*. That function is to consider the whole range of roles, responsibilities, and consequences and to institute within the change procedure the policies and dimensions, if not the structure, of the new configuration of power, decision-making procedures, and responsibilities.

Teacher Evaluation and Supervision

Another important area of concern evident in the negotiation contracts is the determination to keep personnel records open, to have any supervision or evaluation clearly designated and identified as such. Conferences are important, along with the agreement by the teacher that certain items will be inserted into the record with their knowledge. Surveillance systems involving electronic devices or unknown closed circuit instrumentation are renounced.

These are fine ideas for the most part, yet they do not seem adequate or realistic in view of changes that are taking place. The question of evaluation also involves staff relationships, and in some systems the separation of "good guys" and "bad guys" is based on the test of responsibility for evaluation.

The new specialist roles for teachers and supervisors, the necessary costs for the improvement of teaching and learning, the greater public and political concern for and commitment to education, the increasing popularity of effectiveness-cost and similar developments, will increase, not diminish, the demand and need for supervision and evaluation. The relatively informal and collegial procedures that now exist for the evaluation of performance are sure to be challenged. Current research suggests new possibilities for observing, classifying, and appraising performance[12]; new media suggest new ways of recording, storing, and sharing examples of professional competence. Electronic data processing is removing many

[12]Louise M. Berman and Mary Lou Usery. *Personalized Supervision: Sources & Insights.* Washington, D.C.: Association for Supervision and Curriculum Development, 1966; and Association for Supervision and Curriculum Development and Center for the Study of Instruction, National Education Association. *The Way Teaching Is.* Washington, D.C.: National Education Association, 1966.

of the more routine and collating (nondeciding or nonthreatening) responsibilities from the supervisor.[13]

In what atmosphere will the new measures, the new procedures be developed and will the new lines be drawn? How much intervention and psychological distance can be tolerated? Will objectivity and cost be a tolerable as well as a viable alternative to personal, supportive, and cooperative improvement? The burden of proof now rests with the administration to inform, to assist toward success—not to detect. Under the pressure of research objectivity, under the pressure of competing and counter curriculum proposals, the delicate balance in role function is likely to change.

The Public Sector and Instruction

Many contract provisions have to do with such matters as the use of instructional or media aides, reports that are sent home regarding pupil progress or problems, allocation of resources to special or federal programs, pupil ratios and class size, and extracurricular activities. Most of these concerns involve direct contact with the patrons of the school and the public as they relate to particular persons, pupils, and policies.

Certain assumptions must be enunciated.[14] The institution of education, namely schools, must be defined as a subsystem of society at large. This society specifies the function and terminal goals of the institution of education. The central goal of the educational institution is the facilitation of student learning in certain operationally defined directions assumed to be congruent with the society's expectation. The basic function for achieving this goal is defined as the teaching function. The teacher operating from a unique frame of reference develops certain operations which it is hoped will result in certain pupil learnings. These operational units constitute the teacher-pupil system whose outputs are usually defined in terms of pupil behavior.

Officially designated organizational behavior external to the teacher-pupil system but calculated to impact directly and purposefully on teacher behavior in such a way as to facilitate the student learning is defined here as instructional supervisory behavior. The interaction of the instructional supervisory behavior and teacher behavior constitutes a major subsystem of any particular school system. The intent of this subsystem and its

[13] James Raths and Robert R. Leeper, editors. *The Supervisor: Agent for Change in Teaching*. Washington, D.C.: Association for Supervision and Curriculum Development, 1966. p. 96 f.

[14] Based on an analysis to be presented in a subsequent publication of the Commission on Supervision Theory. Association for Supervision and Curriculum Development.

impact on the teacher-pupil system is to facilitate the achievement of the goals of the teacher-pupil system.

When instructional supervisory behavior is defined in this way it is a dimension of many organizational roles. When a superintendent, principal, curriculum supervisor, or teacher is participating in behavior which is officially designated by the organization, and impacts directly on the teacher and/or the teacher-pupil system, then this person is participating in instructional supervisory behavior. This is not the only way in which influence or behavior is modified, but there is no need at this point to discuss the various informal behavior systems that also operate. It is important to indicate that instructional supervisory behavior is defined as behavior which is officially designated by the organization to meet certain organizational needs as defined.

Negotiations as a system can be viewed as a way of allocating rights, duties, and responsibilities between two systems as agreed. This arrangement becomes the contract or the subject of the negotiation—in this case, between the local school system and the teachers' system. The latter may well be encapsulated within the professional association and this is the reason for the vote or the right to have exclusive negotiating contracts in most districts.

A Policy Question?

The point of these definitions is to illustrate a problem. The schools are a subsystem of society. The teacher-pupil system is a subsystem of the school. When teachers negotiate matters of importance to them with the school board or the agents of the board, they are, in fact, missing a number of the systems that also operate not only as part of the school system but as part of the institution of education with which we are concerned. Of note also is that the teachers and the school board are negotiating for matters which may not be seen as directly related to the essential functioning of the school in society or as they relate directly to the pupils, who are usually viewed as central in the process of education.

Who shall determine the related curriculum and instructional matters is thus not an academic question. It has been a central issue over the years with a number of associations, each zealously guarding the parameter of control for many reasons and under many threats. Recently, the question came up in connection with legislation in California, Florida, New York, and other states, and in connection with the issue of National Assessment. The point is that if curriculum and instruction are to be fought out as public issues outside the regular subsystems of the school, then we must expect the public to begin making specific curricular decisions and, as

indicated, this procedure has been fought at both national and state levels by the National Education Association and its departments. Yet this, it seems, is one inevitable consequence of taking program questions, or taking specific curriculum issues and making them subject to public debate and public decision via negotiations, or to subsequent broader discussion by lay citizens if an impasse situation develops.

Thus to negotiate on these matters appears to contradict policy made over a period of time; it also opens to public debate and decision making intimate questions that should be matters of professional study, research, investigation, and policy based on the insistence that good education for children shall be the determinant and the direction taken in such a matter.

There is a certain exhilaration in the prospect of gut-level, market-place decisions about the critical issues of instruction and the often contradictory, unresearched assumptions made about curriculum. Such a prospect should also be sobering, since this is not the way in which a profession and its members should make decisions. Whether or not we wish to allocate our professional responsibilities to a political system should be considered very carefully as a policy matter of professional as well as association business. Thus, it is maintained that the most productive way, the most professional way, the way of long-range success is to use the negotiation process as a means by which fundamental curricular *process* and *policy* matters are settled, rather than looking toward the more immediate *program issues* which, however timely and intriguing, are not the best source for negotiation's work.

Policy-process, Not Program; Some Examples

Negotiation can be a process by which teachers seek to obtain professionally necessary funds for in-service education, and for curriculum work that needs to accompany the many innovations being introduced and implemented; to strive for better education for teachers; for more adequate supervision; for better financial support for the beginning teacher so that he may give his full time and attention to the professional task of teaching. Teachers can request better tools and more of these; but one would expect that the specific tools would be a matter of different decision processes. Teachers can insist that larger amounts be set aside when new buildings are built in order to equip them adequately and to make provisions for the building in of the services and teaching, as well as the equipment and the lighting. Teachers can ask for improved help in supporting services, but again, the specific nature of those services and the number of persons to help should depend upon another process. Better and more available help may appropriately be called for during the pro-

bationary period. Groups may well ask that a representative committee or curriculum council be established to consider matters of curriculum and instruction. Time for curriculum work may well be negotiated, though the specific uses of that time should not be negotiated.

The perceptions we hold regarding certain decisions are critical: for example, whether we are operating with a primary concern for pupil progress or with a concern for professional working conditions. Our frame may also determine how we view, for example, the assignment to a teacher of a class of gifted or of slow learners. Such classes must not be established as favors or as punishments. They are arrangements developed to enhance pupil learnings and educational gains. As particular items such classes should not be negotiable concerns. However, the process by which such classes are assigned could well be reviewd.

When teacher groups propose better teaching and learning conditions, it must be clear whether they are (a) indicating the knowledge and willingness to exert leadership, or (b) illustrating how representative organizational and content plans can bring about a superior program, or (c) insisting that the particular provisions indicated in the proposal are themselves essential and negotiable components of the plan. Such planning should indicate the need, the means, the process, the contemplated outcomes, but should leave specific provision for the regular curriculum process of which the teachers are, or should be, an essential element.

Thus, as already indicated, the negotiation table should be a reaffirmation by regular processes and communications; it should not be an *ad hoc* bypassing confrontation, when curricular and instructional matters are being considered. This difference, distasteful to the reductionist, should differentiate "teacher as worker" problems, and "teacher as professional" problems. It should differentiate matters of public concern and policy, versus matters of professional judgment and expertise. This difference must make clear the concerns wherein the public enters into the commitment to education, to children, and to their teachers; it should not enter into the implementation of professional decisions wherein research, study, balance, or scientifically and professionally determined pedagogical strategies are the basic considerations.

What Next?

Impending is the counter-drive. School boards and administrators faced with demands will counter with their alternatives. What form will these take? Will demands be made for extension in duties, for performance criteria, and exacting evaluation performed by instruments and persons outside the teacher structure? Will the less effective or the unpopular

teacher be faced with demands now being leveled at the administrator? To what extent may pupils in the schools or the universities be admitted to governance procedures? Will parents and patrons of the school demand outcomes "proportional" to the new power and the new salary schedule? To what extent will the parents become vocal about the conditions imposed upon the learner, including means for marking, reporting, promoting, classifying for groups or special classes? Will complete data be available to all parties on the first "round" of negotiations, or will blue-sky and withholding techniques be employed? What new configurations of power within and outside the school system will be developed? Who and by what process will it be determined that some issues are negotiable and others are not? These questions illustrate the concern.

What is needed is for all members, all professionals, to enter into a more effective dialogue as to the nature of the decisions to be made by the negotiations process; that all persons work to eliminate those causes for real concern that need to be improved; that persons in all roles be willing to challenge the status quo to improve the quality of education. Self-renewal as well as organizational and role changes are imperative. The supervisor and the educational leader by definition are charged with the task of leadership, of perspective, of improvement. An unqualified defense is as unrealistic as a change for its own sake.

Each area or system will have to develop guidelines for its own direction. State laws and board policies are so varied that few general recommendations seem valid. The following items have been suggested by persons in the field and in the material on negotiations, which is extremely limited in connection with curriculum or instructional matters.

Implicit is the need for public information and understanding. The politicians and patrons can: determine cost perimeters that make possible, or impossible, a qualitative school program, enter decision making with specific matters better left to the professionals; or modify the institution as a public agency.

There may be a need to consider curriculum matters in different ways at the different levels of implementation or decision, for example, decisions appropriate to the classroom teacher, those to be considered by the consultant or specialist, those in the purview of the system generalist or coordinator, and those in the profession at large.

Supervision and curriculum improvement are for many reasons subject to intensive change. It is vital to keep the systems open, cooperative, and accessible to all. The process by which a decision is made should be described, made explicit, or designated in the negotiations agreement,

instead of including the curricular decision. Cocurricular responsibilities are usually incorporated into the individual teacher's contract. Should some responsibility for curriculum improvement and evaluation also be included? Roles and responsibilities must be delineated but kept flexible in function.

It is usually recommended that a negotiation *team* be instituted to deal with the many ramifications and time commitments. Viewpoints of all sectors of the system must be incorporated. A system of priorities will be required, along with some consensus regarding limits or processes. "Small" items may be strategic, but should not preempt consideration of larger basic issues that may well be the context for the lesser item.

The negotiations process can be an important source of ideas and feedback. Not to use it is to create further dissension, to stifle initiative at early and creative points, and to ignore an important source of information and insight. A climate of respect for individuality, always a responsibility of the supervisor, has never been more important than at present. A premature freeze on relationships could result in unfortunate developments.

It is essential to establish contractual language where curriculum and instructional matters are concerned. Emphasis should be on process, not program; on work toward openness in the process of instructional improvement, leaving prerogatives of instruction to teachers and to constituted groups. Procedures for research, study, and experimentation should be included in the process for instructional improvement as regular, not *ad hoc* measures.

As curricular and instructional issues are larger, so are the configurations of power and decision making. The emergence of consortia, county, and state organizations will likely have an impact that must be considered. State and national models will be used. Modifications will likely be made in local decision making, and in the primacy of the local property tax as the chief support of the school.

The process and substance in the education and professionalization of supervisors should contribute to a better definition of responsibilities and appropriate decisions.

New frontiers are being explored in this development because negotiations in the public sector are relatively new, with many legal, policy, and public questions largely unanswered. Precedents from union experience in the private sector are not always helpful, professional, or likely to gain public support. Tradition will provide few acceptable alternatives. The world of education has changed; education as a concept has changed.

Perhaps it is not only because education has become more like the world, but is more concerned with the actual world. With these changes come dramatic modifications in our professional life and our roles; we are an integral part of the process.